

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
AT KNOXVILLE**

JUSTIN GUESS,

*Plaintiff,*

v.

TIM L. PIERCE, *et al.*,

*Defendants.*

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Case No. 3:23-cv-84

Judge Travis R. McDonough

Magistrate Judge Debra C. Poplin

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**JUDGMENT ORDER**

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For the reasons set forth in the memorandum opinion filed herewith, this prisoner's pro se complaint for violation of 42 U.S.C. § 1983 is **DISMISSED without prejudice**. Because the Court **CERTIFIED** in the memorandum opinion that any appeal from this order would not be taken in good faith, should Plaintiff file a notice of appeal, he is **DENIED** leave to appeal *in forma pauperis*. See 28 U.S.C. § 1915(a)(3); Fed. R. App. P. 24.

The Clerk is **DIRECTED** to close the file.

**SO ORDERED.**

*/s/ Travis R. McDonough*

**TRAVIS R. MCDONOUGH  
UNITED STATES DISTRICT JUDGE**

ENTERED AS A JUDGMENT  
s/ LeAnna R. Wilson  
CLERK OF COURT